

Ramis Wadood

From: William Ellis <wwellis@umich.edu>
Sent: Friday, October 14, 2022 12:00 PM
To: Ben Mordechai-Strongin
Cc: Patrick Cunningham; Robert Williams Legal Team
Subject: Re: [EXTERNAL] Re: Williams v. Detroit - Availability to meet this week?
Attachments: 30(b)(6) Notice.pdf

Hi Pat,

I've attached our list of 30(b)(6) topics to this email.

Best,
Will

On Thu, Oct 13, 2022 at 4:22 PM Ben Mordechai-Strongin <bmstrong@umich.edu> wrote:
Hi Pat,

We've heard back from MSP and they are unable to do either Nov 15 or 16, so we would propose replacing one those days with the 30(b)(6) and keeping Captain Cox on the other day. We'll have a list of 30b6 topics for you shortly.

Let us know if this all works,
Ben

On Wed, Oct 12, 2022 at 3:15 PM Ben Mordechai-Strongin <bmstrong@umich.edu> wrote:
Hi Patrick,

Thank you for providing these dates. We'd like to fill them all, except October 18. We'll also need 3 additional days.

A couple of notes:

1) We know you'd like to depose Robert Williams first - that's not a problem for us except in so far as scheduling. Our first chair for Mr. William's deposition isn't available for 10/18 or 10/24, so in the interest of getting the ball rolling on depositions, we were hoping you would agree to let us depose Bussa first and then deposing Mr. Williams just after.

2) We're coordinating with MSP regarding their availability for depositions and we're just working out whether the 15th or 16th is better for them. So we might have to switch around the deponents on those two dates, depending on what MSP says.

Aside from that, please let us know if this looks good to you. Also please provide 3 more days you're available for those last 3 depositions (recognizing we'll have to coordinate with Katherine Johnston's attorney to make sure one of the dates also works for her).

Here is the deposition schedule we propose so that you can wrangle folks:

10/24 - Bussa
10/27 - Robert Williams

11/8 - Levan Adams; Rathe Yager; Ray Saati

11/9 - Benjamin Atkinson; Angelique Chadwick-Bills

11/15 - Steve Posey; *MSP Analyst; Crystal Howard (MSP)*

11/16 - Cox

Unaccounted for:

Craig; 30(b)(6); Katherine Johnston

Best,

Ben

On Fri, Oct 7, 2022 at 5:42 PM Patrick Cunningham <cunninghamp@detroitmi.gov> wrote:

Hi Ben,

As of right now, I'm available:

October 18, 2022 10:00 a.m. – 5:00 p.m.

October 24, 2022 10:00 a.m. – 5:00 p.m.

October 27, 2022 10:00 a.m. – 5:00 p.m.

November 8 10:00 a.m. – 5:00 p.m.

November 9 10:00 a.m. – 5:00 p.m.

November 15 10:00 a.m. – 5:00 p.m.

November 16 10:00 a.m. – 5:00 p.m.

To start with.

Thanks,

Patrick M. Cunningham

Supervising Assistant Corporation Counsel
Tort & Blight Litigation
City of Detroit Law Department
Coleman A. Young Municipal Building
2 Woodward Ave., 5th Floor
Detroit, Michigan 48226
Tel: (313) 237-5032

Fax: (313) 224-5505
cunninghamp@detroitmi.gov

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From: Ben Mordechai-Strongin <bmstrong@umich.edu>
Sent: Friday, September 30, 2022 7:36 PM
To: Patrick Cunningham <cunninghamp@detroitmi.gov>
Cc: Robert Williams Legal Team <RobertWilliamsLegalTeam@umich.edu>
Subject: Re: [EXTERNAL] Re: Williams v. Detroit - Availability to meet this week?

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Hi Patrick,

Sorry for the Friday evening email. Just want to make sure this time works for you. I'll send a zoom link Monday morning.

Thanks,

Ben

On Thu, Sep 29, 2022 at 11:33 AM Ben Mordechai-Strongin <bmstrong@umich.edu> wrote:

Good morning,

How does 4:30 on Tuesday, the 4th work?

On Wed, Sep 28, 2022 at 3:32 PM Ben Mordechai-Strongin <bmstrong@umich.edu> wrote:

Thanks, Patrick. I'll schedule with the team and get back to you today or tomorrow.

On Wed, Sep 28, 2022 at 11:13 AM Patrick Cunningham <cunninghamp@detroitmi.gov> wrote:

Hi Ben,

How about 10/3 or 10/4. I'm pretty flexible on both of those days.

Thanks,

Patrick M. Cunningham

Supervising Assistant Corporation Counsel
Tort & Blight Litigation
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From: Ben Mordechai-Strongin <bmstrong@umich.edu>
Sent: Thursday, September 22, 2022 12:02 PM
To: Patrick Cunningham <cunninghamp@detroitmi.gov>
Cc: Robert Williams Legal Team <RobertWilliamsLegalTeam@umich.edu>
Subject: Re: [EXTERNAL] Re: Williams v. Detroit - Availability to meet this week?

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That sounds great, Patrick.

The new students and I are looking forward to meeting with you and getting started on depositions.

On Wed, Sep 21, 2022 at 4:02 PM Patrick Cunningham <cunninghamp@detroitmi.gov> wrote:

Hi Ben,

I'm working on scheduling a number of depositions in another case to take place within the next week. I will get back to you tomorrow hopefully with a time we can meet.

Thanks,

Patrick M. Cunningham

Supervising Assistant Corporation Counsel
Tort & Blight Litigation
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From: Ben Mordechai-Strongin <bmstrong@umich.edu>

Sent: Wednesday, September 21, 2022 12:14 PM

To: Patrick Cunningham <cunninghamp@detroitmi.gov>

Cc: Robert Williams Legal Team <RobertWilliamsLegalTeam@umich.edu>

Subject: [EXTERNAL] Re: Williams v. Detroit - Availability to meet this week?

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Hi Patrick,

Just wanted to follow up to let you know that we're also ready to begin depositions and would like to discuss scheduling with you. We're hoping we can block off some mutually workable times before we send subpoenas.

We look forward to hearing from you,

Ben

On Mon, Sep 19, 2022 at 8:00 AM Ben Mordechai-Strongin <bmstrong@umich.edu> wrote:

Hi Patrick,

Hope you had a nice summer and a good weekend. I'm back on the case for the semester along with several new student attorneys.

We were hoping we could Zoom with you as way of an introduction for our new student attorneys and to discuss some outstanding discovery issues. Would you please send your availability over the next week or two for a Zoom meeting?

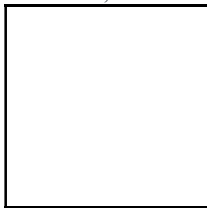
Thank you and look forward to speaking with you,

Ben

--

Ben Mordechai-Strongin (he/him)
Student Attorney, Civil Rights Litigation Initiative
University of Michigan Law School
734.769.1983
bmstrong@umich.edu

[701 South State Street](#)
Jeffries Hall, Suite 2020
Ann Arbor, MI 48109

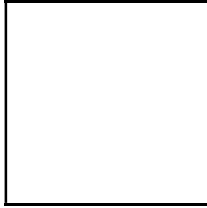


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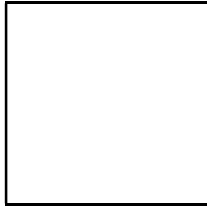


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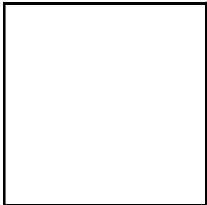


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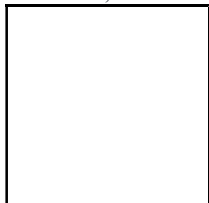


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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROBERT JULIAN-BORCHAK WILLIAMS,

Plaintiff,

Case No. 21-cv-10827

v.

Hon. Laurie J. Michelson

CITY OF DETROIT, a municipal corporation,
DETROIT POLICE CHIEF JAMES CRAIG, in
his official capacity, and DETECTIVE
DONALD BUSSA, in his individual capacity,

Defendants.

**NOTICE OF DEPOSITION OF DEFENDANT
PURSUANT TO RULE 30(b)(6)**

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff Robert Julian-Borchak Williams will take the deposition of Defendant City of Detroit by a person or persons designated by Defendant before a court reporter, notary public, or other officer authorized by law to administer oaths. The deposition will be taken on **DATE**, or any other mutually agreeable date, beginning at **TIME** and continuing from day to day until completed. The deposition will be taken by stenographic means at **LOCATION**.

In accordance with Rule 30(b)(6), Defendant shall designate one or more officers, directors, managing agents, or other persons to testify on its behalf, and shall set forth, for each person designated, the matters on which the person will testify. The person(s) so designated by Defendant shall testify on matters known or reasonably available to Defendant concerning the subject matters listed below:

- 1) The organizational structure and chain of command of the Detroit Police Department (DPD).
- 2) The City of Detroit's current and prior policies, practices, and training regarding facial recognition technology and the use of facial recognition

technology in criminal investigations. This topic includes, but is not limited to, all past and present versions of DPD Manual Directive 307.5, Section 8 of DPD Crime Intelligence Unit Standard Operating Procedures, DPD Training Directive 19-07, and other relevant policies.

- 3) The City of Detroit's policies, practices, and training regarding how to establish probable cause to arrest, including but not limited to the role facial recognition technology plays in establishing probable cause.
- 4) The City of Detroit's policies, practices, and training regarding the use of photo lineups in criminal investigations.
- 5) The City of Detroit's policies, practices, and training regarding the process and requirements for preparing and submitting a request for an arrest or search warrant.
- 6) The City of Detroit's policies, practices, and training related to the holding conditions, facility management, and hygienical standards of the Detroit Detention Center.
- 7) The City of Detroit's policies, practices, and training related to custodial interviews/interrogations.
- 8) The City of Detroit's policies, practices, and training related to the release of wrongfully arrested individuals.
- 9) The City of Detroit's policies, practices, and training related to the management of the DPD's written directive system. This topic includes, but is not limited to, DPD Manual Directive 101.1.
- 10) The City of Detroit's policies, practices, and training related to the review and amendment of its written policies and directives.
- 11) The City of Detroit's policies, practices, and training related to the collection and analysis of data regarding the DPD's use of facial recognition technology.
- 12) The City of Detroit's policies, practices, and training related to the onboarding and training of new DPD detectives.

- 13) The City of Detroit's use of facial recognition technology. This topic includes, but is not limited to, the City of Detroit's use of DataWorks and its process of sending facial recognition search requests to the Michigan State Police.
- 14) Communications and statements made by City of Detroit officials at the Detroit Board of Police Commissioners meeting on June 29, 2020.
- 15) DPD criminal investigations that used facial recognition technology to help identify a suspect, but that resulted in the arrest of a suspect who was not ultimately convicted. This topic includes, but is not limited to, the investigation involving the arrest of Mr. Michael Oliver on July 31, 2019.
- 16) The basis for the City of Detroit's responses to Interrogatories served by Plaintiff in this action.
- 17) The steps taken by the City of Detroit to preserve documents responsive to Plaintiff's requests for production and the persons involved in taking those steps.
- 18) Whether any document potentially responsive to Plaintiff's requests for production in this action was discarded or destroyed in whole or in part and, if so, the circumstances under which the document was discarded or destroyed.
- 19) Whether the DPD's policies, practices, and trainings were followed in the investigation into, and January 9, 2020 arrest of, Plaintiff Robert Williams.

Dated: October XX, 2022

Respectfully submitted,

/s/ Michael J. Steinberg
Michael J. Steinberg (P43085)
Jonathan Barnett*
William Ellis*
Benjamin Mordechai-Strongin*
Mickey Terlep*
Lauren Yu*

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